

FISCAL IMPACT STATEMENT ON BILL NO. **H.4503, As Amended**

(Doc. No. 18140MM06)

TO:	The Honorable James H. Harrison, Chairman, House Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Harry Bell, Allan Kincaid, Bryce Wilson, Bob Stein		
DATE:	February 22, 2006	SBD:	2006104

AUTHOR:	House Judiciary Committee	PRIMARY CODE CITE:	4-9-32
SUBJECT:	Just Compensation for Land Use Restriction Act		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

See Below

BILL SUMMARY:

House Bill 4503, as amended, would enact the Just Compensation for Land Use Restriction Act. The Bill would, among other things, provide for procedures required of an entity before it may exercise its eminent domain powers.

EXPLANATION OF IMPACT:

State Budget and Control Board:

A review of this Bill by the Board staff indicates there may be some minimal cost which can be absorbed within existing resources.

Department of Transportation

The Department estimates enactment would cost approximately \$23.5 million annually in State Highway (other) funds. This is based on right-of-way expenditure and condemnation of right-of-way acquisitions patterns in the state of Florida which has an existing definition of "just compensation" statute similar to that contained in this Bill.

DOT also anticipates that the provisions of section 12 would delay projects due to changes in the procedures for a condemnor's right to take. DOT projects enactment could delay projects by a year and a half thereby impacting final costs to complete projects. DOT expects the requirements of section 16 will result in the need to hire an additional four staff since the Department markets approximately 220 surplus parcels a year and right of first refusal applies to property obtained after January 1, 1900. Salaries, fringe benefits, and other operating expenses for four staff are estimated at \$171,150.

Higher Education Institutions

Both the Commission of Higher Education and the State Board for Technical and Comprehensive Education anticipate enactment would not have a direct impact on expenditures.

Department of Commerce

Enactment would have no fiscal impact on the agency.

State Department of Education

The agency has been forwarded a copy of the Bill for review and comment. The agency's response is pending.

LOCAL GOVERNMENT IMPACT:

Responses indicated enactment would have no impact on some local governments. Others could not provide an estimate but anticipated additional costs which could be significant.

SPECIAL NOTES:

None.

Approved by:

A handwritten signature in black ink that reads "Don Addy". The signature is written in a cursive, flowing style.

Don Addy
Assistant Director, Office of State Budget